

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SECRET
EX SER

In re Application of: Veronica BROCKHURST et al.

Filed: May 9, 2001

For: AN ASSAY

Serial No.: 09/852,903

Group Art Unit: 1623

Examiner: Unknown

Atty Docket No.: DIAT:003

Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date below:

12-13-01 Marty Bow
Date Name

Assistant Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

Please note that the inventorship in the originally filed papers was incorrect. The correct inventors are Veronica Brockhurst; Peter Timms; Lindsay Wolter; Ross Barnard; and Philip Morrison Giffard. Both Veronica Brockhurst and Philip Morrison Giffard were named inventors in the original papers.

This application is entitled to small entity status.

Transmitted herewith for filing are:

- ☐ New Patent Application consisting of ___ pages
- ☐ Continued Prosecution Application (37 CFR §1.53(d)) -- The parent application is USSN _____ filed on _____. The prior Examiner was _____ in Group Art Unit _____.
- ☒ Response to Notice to File Missing Parts - Part 2 copy (2 pgs)
- ☒ Assignment and Recordation Cover sheet (4 pgs)
- ☒ Inventor's Declaration (4 pgs)

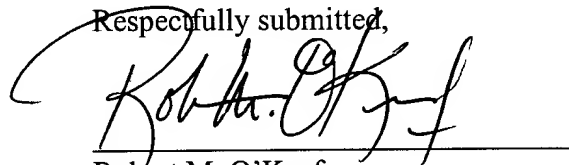
- ☒ Statement Under 37 CFR §3.73(b) and §3.71 & POA (3 pgs)
- ☐ Information Disclosure Statement
- ☒ Petition for a three (3) month extension of time
- ☐ Response to Office Action
- ☒ Preliminary Amendment
- ☐ Formal Drawings (Figs , sheets)
- ☐ Informal Drawings
- ☐ Notice of Appeal
- ☒ Diskette containing sequence listing. Note: The sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing.
- ☒ Check(s) in the amount of \$872; \$40; & \$460 (small entity fee)
- ☒ The Commissioner is authorized to deduct any requisite fees under 37 CFR 1.16 to 1.21 from, or deposit any credits to, Deposit Account No. 10-1205/DIAT:003, including any concurrent or future required extension of time fees.
- ☒ Postcard. Please date stamp and mail this postcard to acknowledge receipt of the enclosed documents.
- ☒ Other: Request for Priority (2 pgs), along with a certified copy of PCT/AU01/00526
- ☒ In accordance with 37 CFR 1.136(a)(3), the Commissioner is authorized to treat any concurrent or future reply that requires a petition for an extension of time under 37 CFR 1.126(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time, and the Commissioner is authorized to deduce any requisite fees under 37 CFR 1.16 to 1.21 from Deposit Account No. 10-1205/DIAT:003.

FEE CALCULATION:

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	Total Claims (37 CFR 1.16(e))	<u>38</u> - 20 =	18	x \$ 18.00	\$ 324.00
	Independent Claims (37 CFR 1.16(b))	<u>8</u> - 3 =	5	x \$ 84.00	\$ 420.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$ 270.00	\$
				Basic Fee (37 CFR 1.16(a))	\$ 740.00
				Total of above Calculations =	\$ 1484.00
	Reduction by 50% for filing by Small Entity (Note: 37 CFR 1.9, 1.27, 1.28)				\$ 742.00
	Surcharge for submission of Response to Missing Parts if applicable (\$130)				\$ 130.00
	TOTAL (Check #1) =				\$ 872.00
	ASSIGNMENT FEE (\$40)				\$ 40.00
	TOTAL (Check #2) =				\$ 40.00

The Examiner is invited to contact the undersigned at 512-347-1611 with any questions or comments, or to otherwise facilitate expeditious prosecution of the application.

Respectfully submitted,



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/852,903	05/09/2001	Philip Morrison Giffard	DIAT:003

CONFIRMATION NO. 4772

FORMALITIES LETTER



OC000000006294848

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#3

01/02/2002 NMOHAMM1 00000001 09852903

Date Mailed: 07/13/2001

01 FC:205

65.00 OP

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Adjustment date: 01/02/2002 NMOHAMM1
12/28/2001 NMOHAMM1 00000024 09852903
04 FC:105 -130.00 OP

FILED UNDER 37 CFR 1.53(b) Repln. Ref: 01/02/2002 NMOHAMM1 0016175600
App: 101205 Name/Number: 09852903
FC: 704 \$65.00 CR

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- Total additional claim fee(s) for this application is \$1300.

- \$630 for 35 total claims over 20.
- \$400 for 5 independent claims over 3.
- \$270 for multiple dependent claim surcharge.

12/28/2001 NMOHAMM1 00000024 09852903

01 FC:201	370.00 OP
02 FC:203	162.00 OP
03 FC:202	210.00 OP
04 FC:105	130.00 OP

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2140.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new

matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE